

The Honorable RONALD B. LEIGHTON

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA**

MARK CHRISTENSEN,

Plaintiff,

V.

**WASHINGTON STATE
DEPARTMENT OF CORRECTIONS, an
agency of the State of Washington, et al.,**

Defendants.

NO. C08-5191

**ORDER ON PLAINTIFF'S
MOTION FOR CONTINUANCE**

THIS MATTER IS before this Court on the Plaintiff's Motion for a Continuance of the date based on his trial calendar. [Dkt. #43]. This Motion was filed on September 23. It is a lengthy and largely unnecessary series of Motions, Declarations, Responses, Replies, Requests for Reconsideration, and Orders regarding this very topic – scheduling and rescheduling the trial date -- that began on July 15 and ended August 24, when the Court entered its Order setting the current trial date, February 8, 2010. [See Dkt. #s 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, and 41.]

Plaintiff's counsel claims that his conflicting trial has been scheduled since April of this year. Though none of his prior filings addressed his trial schedule, the Plaintiff has, a month later, discovered a scheduling problem that for unknown reasons was not raised earlier.

Defendant opposes the Plaintiff's request, citing the lack of the requisite good cause, a topic which was explored by the Court in connection with the Defendant's earlier similar request. In short, the Court is asked once again to referee a low grade skirmish that is a waste of its and the parties' time. The Motion for a Continuance, though inexplicably late, is GRANTED. The clerk will schedule a trial date sometime after March 2010. Any further filings on this topic will result in the award of sanctions to the prevailing party.

8 IT IS SO ORDERED this 1st day of October, 2009.

Ronald B. Lightner

**RONALD B. LEIGHTON
UNITED STATES DISTRICT JUDGE**